heir as disinherited by his crime, as several of the judges appear to think. On the contrary, the legal title passes to the criminal and is thereafter taken from him. *Ereptio propter indignitatem* is a case not of revocation, but of restitution. See Windscheid, Pandekten III. § 669 & n. 1; lex 7, § 4, *D. de bonis damnatorun* (48, 20); *D.* 34, 9, *de his quae ut indignis auferuntur;* Maynz, Cours, v. 3, § 482.

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PARTY WALLS; QUASI CONTRACTUAL RIGHTS OF ADJOINING OWNERS. —In the recent case of *Walker et al.* v. *Stetson*, 38 N. E. R. 18, the Supreme Court of Massachusetts has made an interesting and important decision on the subject of party walls. The plaintiff had both added to the height of an ancient party wall between his estate and that of the defendant, and had, also, thickened and strengthened the part which was on his own land, in order to sustain a large building he was erecting. Sometime after this the defendant had also begun building operations, and, while thus engaged, had projected his beams into the wall, but not beyond his own side of the division line. There was no controversy on the part of the defendant as to his liability under a party wall agreement to pay for using the height added, but he contended that the court would be going too far in holding that the other additions became part of the wall, and that the defendant was, therefore, liable for a portion of the cost, though he had used the party wall no further than his rights allowed.

The plaintiff, on the other hand, maintained that, as the old wall, if carried up as it was, would not have conformed to the building law in force in the city of Boston, and as the defendant would, therefore, have been compelled to thicken it, it was only just and equitable that he should pay some proportion of an outlay from which he had derived undoubted benefit.

The court refused, nevertheless, to allow such compensation, or to enjoin the defendant from making any use of the wall, thus thickened and strengthened, to support the building which he had erected.

This decision, although undoubtedly a conservative one, appears on the whole a thoroughly sound one. It is, certainly, very hard to see any ground of legal liability, on which the defendant could have been compelled to contribute, since, throughout, he did nothing but what he had a perfect right to do,— namely, to use his own. Indeed the only chance under the circumstances that the plaintiff had, was to have the inspector of buildings stop the work as contrary to city regulations, and thus, by indirect means, to bring the defendant to terms,— a course which was pursued with success in a private controversy last winter in Boston. But, although this case, apparently, does not recommend itself to architects and builders (see American Architect, cited in 27 Chicago Legal News, p. 12) as fair or politic, it seems difficult to perceive how it could well have been otherwise decided after the erection was once completed.

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RIPARIAN RIGHTS.— Questions concerning the rights of riparian owners in cases of alluvion and reliction, although not unimportant in this part of the country, occur more frequently and create more discussion in the west. While our Massachusetts' judges are laying down working rules as to the equitable division of mud flats, judges in Missouri and Nebraska